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Australian Government
Department of Home Affairs

Department of Home Affairs (including Australian Border Force) and broader Portfolio, including the National Emergency Management Agency - Submission

Commonwealth Government COVID-19 Response Inquiry

December 2023

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Purpose and scope

The Department of Home Affairs (the department), including the Australian Border Force (ABF) and broader Home Affairs Portfolio (the portfolio), including the National Emergency Management Agency (NEMA), supported the Australian Government's response to the novel coronavirus (COVID-19) pandemic. This submission is provided to Ms Robyn Kruk AO, Professor Catherine Bennett and Dr Angela Jackson (the independent panel), for the purpose of providing preliminary information and support to the Commonwealth Government COVID-19 Response Inquiry (the inquiry), as announced by the Prime Minister, the Hon Anthony Albanese MP, on 21 September 2023. This submission outlines the portfolio's broad roles and responsibilities in relevance to the inquiry's terms of reference, including its contributions to the whole-of-government response to the COVID-19 pandemic.

The department and portfolio welcome the opportunity to provide further information to the inquiry if required.

Overview

Throughout the COVID-19 pandemic, the portfolio pivoted its resources, focus and capabilities to respond to the needs of the government in supporting the community. The experiences and lessons learned have allowed the portfolio and its partners to enhance preparedness, build community resilience and position the portfolio to manage future challenges.

The portfolio supported the whole-of-government response to the COVID-19 pandemic most notably through:

- the management of the international border (closure, exemptions, import and export controls, subsequent reopening, sourcing of quarantine facilities, and industry engagement)
- crisis management and pandemic planning (including the National Coordination Mechanism (NCM), the responsibility for COVID-focused support payments, supporting supply chain issues, and joint taskforces with the Department of Defence)
- education and awareness including in the aged care sector
- contributing to the development of whole-of-government documents relating to Australia's COVID-19 response and pandemic preparedness
- redeployment of staff to support critical functions in other government agencies
- vaccine requirements for non-citizens intending to enter Australia
- visa and regulatory changes to support the labour market and 'critical' skills shortages, including shifting network of global visa processing officers to surge priority caseloads and prioritise onshore processing of applicants in critical sectors.

Governance

Terms of reference:

Governance including the role of the Commonwealth Government, responsibilities of state and territory governments, national governance mechanisms (such as National Cabinet, the National Coordination Mechanism and the Australian Health Protection Principal Committee) and advisory bodies supporting responses to COVID-19.

Early governance arrangements

Early government consideration of the impacts of COVID-19 occurred through the Cabinet Office Policy Committee (COPC), the National COVID-19 Coordination Commission (NCCC) – later renamed the National

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COVID-19 Commission Advisory Board – and the National Cabinet. The former Secretary of the department, Michael Pezzullo AO, along with the former Secretary of the Department of the Prime Minister and Cabinet (PM&C), Phillip Gaetjens, were the two senior official members of the NCCC. The portfolio provided advice to the NCCC, particularly on the supply chain issues that emerged at the onset of the pandemic. The NCCC was pivotal in leveraging industry support and advice to national response efforts.

The Prime Minister, the Hon Scott Morrison MP, established COVID-19 briefings in late March 2020, which brought together select Commonwealth department representatives with the Chief Medical Officer (CMO) to discuss emerging COVID-19 issues and related matters. The portfolio, represented by the Deputy Secretary of Emergency Management and Coordination, was a representative at these briefings and provided a rapid conduit for advice between the portfolio, the CMO, the Prime Minister and industry.

National Coordination Mechanism (NCM)

On 5 March 2020, drawing on and complementing existing capabilities within the department and across the portfolio, the Australian Government commissioned the NCM to respond to the multifaceted challenges of the pandemic, with the primary focus being to provide shared situational awareness, coordinate lines of effort and facilitate nationally consistent approaches to non-health-related planning and responses to COVID-19. This included resolving complex issues such as the movement of resources and sector personnel and goods across domestic borders, supporting vulnerable people – including through engagement with the not-for-profit sector on home delivery and service options – and managing the repatriation of Australian citizens, permanent residents and their immediate relatives to Australia.

The NCM facilitated collaboration, communication and coordination across the Commonwealth, states and territories, industry bodies and the private sector, which enabled timely and comprehensive advice to be provided to national leaders on practical solutions and emerging risks. This included operationalising police powers, following the declaration of a biosecurity emergency under the *Biosecurity Act 2015* (the Biosecurity Act), to ensure safety and security at mass gatherings and police support at some supermarkets across Australia following panic buying and some aggressive customer behaviour. The NCM also undertook preparedness planning across a number of sectors and facilitated discussions with stakeholders regarding supply chains and access to essential goods and services.

The NCM coordinated cross-jurisdictional response efforts for supply chain vulnerabilities, to ensure that critical infrastructure and essential services in the national interest could be maintained and accessed.

For information relating to Supermarket Taskforce and Supply Chain Taskforce, refer to [Industry Support](#) section.

Health response and support

Terms of reference:

Key health response measures (for example across COVID-19 vaccinations and treatments, key medical supplies such as personal protective equipment, quarantine facilities, and public health messaging).

Broader health supports for people impacted by COVID-19 and/or lockdowns (for example mental health and suicide prevention supports, and access to screening and other preventive health measures).

The department aligned with the Department of Health and Aged Care (Health) and with Safe Work Australia on measures to ensure pandemic health protection of critical frontline workers.

Health advice underpinned all elements of the portfolio's response detailed in this report, including:

- advice on international epidemiology of COVID-19
- advice on occupational health protection and navigation of travel-specific medico-legal risks for critical workers who must traverse domestic and/or international borders restricted by the Public Health Orders
- facilitation of the design, review and clinical assurance of incoming traveller health declarations
- advice on health protection practices and policies for frontline staff at the border, using frameworks that consistently aligned with work health and safety legislation and processes for risk mitigation
- the design, implementation and assurance of health risk assessments and management for departmental staff and international travellers – including by contributing to formal operation-specific risk assessments
- recommendations for the review and relaxation of protection practices and processes as the pandemic evolved.

During the pandemic, the department's Chief Medical Officer and the Clinical Team liaised with:

- state and territory health authorities
- Health
- Australian Federal Police (AFP) and state-based policing authorities
- port stakeholders (e.g. airport owners and operators)
- the Department of Foreign Affairs and Trade (DFAT).

Regular engagement occurred with Health through the Australian Health Protection Principal Committee (AHPPC) and the NCM. The portfolio's membership on this committee enabled Emergency Management

Australia (EMA), now NEMA in particular, to effectively respond to the non-health consequences generated by COVID-19. EMA supported Health to conduct scenario planning and coordinate activity in their National Incident Room, and facilitated whole-of-government shared understanding of actions by convening Australian Government Crisis Committee and National Crisis Committee meetings (these have now been replaced by the Australian Government Crisis and Recovery Committee). The National Incident Room was also utilised as an information-sharing mechanism with states and territories to ensure compliance with the *National Health Security Act 2007*.

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Health supports

On 23 March 2020, the Director-General EMA activated the Australian Government Disaster Response Plan (COMDISPLAN) to support requests from states or territories in response to COVID-19.

A total of 373 requests for assistance were received from the Australian Government, states and territories and non-government organisations. Requests included support with health planning, quarantine compliance, contact tracing and vaccine rollout.

In response to the COVID-19 threat in the aged care environment, the Victorian Aged Care Response Centre (VACRC) was established and led by the Commonwealth on 27 July 2020 in partnership with the Victorian Government to coordinate a whole-of-government, industry and state response. VACRC, led by EMA Assistant Secretary Crisis and Response was responsible for both the health response and the consequence management, brought together agencies, experts and stakeholders in a unified coordinated effort to strengthen COVID-19 preventative protection in the aged care sector supporting the delivery of a safe environment for residents. VACRC coordinated workforce staffing, in-reach pathology, cleaning, catering, infection control, PPE, transfer of residents to hospital, communications, clinical support and identification of close contacts. VACRC also developed and implemented a prevention program that visited and educated aged care facilities to undertake disease prevention actions.

As the consequences were easing and the ongoing need transitioned to being primarily health focused, EMA transitioned out of the VACRC after around three months; VACRC ceased operations on 30 September 2022. VACRC stabilised the critical situation in two weeks, and in 100 days reached a point of zero cases in aged care.

Throughout COVID-19, EMA facilitated multiple domestic and international deployments of Australian Medical Assistance Teams (AUSMAT). Internationally, AUSMAT deployed to Japan to provide clinical support to the assisted departure of Australians who were quarantined on the *Diamond Princess* cruise ship. These citizens were repatriated to Australia then quarantined at Howard Springs Quarantine Facility (HSQF) for a minimum of 14 days. Domestic AUSMAT deployments included:

- provision of clinical support to Australians quarantined at the HSQF – now the Centre for National Resilience
- joint deployment with the Australian Defence Force (ADF) to staff Burnie's North West Regional Hospital (NWRH) following an outbreak of COVID-19 among its staff
- vaccine rollout in regional and remote areas of Australia.

On 30 September 2022, all Australian Government taskings were complete and COMDISPLAN was reverted to standby.

COVID-19 vaccines

By early 2021, COVID-19 vaccines were available in Australia in limited quantities. A strategy needed to be developed to coordinate the most effective rollout to ensure the vaccine targeted high-risk individuals and essential workers in customer-facing roles. EMA facilitated ADF support to lead and assist the planning of the National COVID-19 Vaccine Taskforce and included planning and logistical support from the ADF.

The department engaged across government on the COVID-19 vaccine strategy and, through its community liaison network, assisted in delivering targeted vaccine and other public health messaging to vulnerable culturally and linguistically diverse communities.

Data-driven decision making

In the early days of the pandemic, the functions of the department, portfolio and Health were critical to shaping the government's initial response and planning for a national strategy. As the agency responsible for management of the movement of people and goods across the Australian border continuum, the department's data and analytics capabilities contributed to the whole-of-government response.

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The department embedded data specialists within Health's National Incident Room, charged with leading the initial response to COVID-19, to bolster support, transfer relevant data capabilities and ensure streamlined collaboration.

The department provided specialist data expertise to model pandemic scenarios and verify assessments from other agencies contributing to government decision-making with regard to border controls. Initial efforts focused on tracking the growth curve of the virus spread within the Australian community against scenario projections. Efforts expanded over time to include a broader range of pandemic-related issues of interest to the department and NCM.

As the pandemic progressed and Australia began developing contingencies for a return to normalcy, the department pursued a forecasting and modelling effort, collaborating closely with Data61 and Health to explore the potential for forecasting pandemic impacts globally. As part of this effort the department reviewed over 50 epidemiological models and several leading open data sources.

Data matching support to the repatriation of Australians stranded offshore

The department collaborated closely with other agencies to support the repatriation of Australians stranded offshore during the pandemic. This included a significant effort to repatriate Australian citizens and permanent residents stranded in India in early 2021 following a COVID-19 wave and corresponding flight ban. Working with Health, DFAT, the Australian Taxation Office and the Australian Passport Office, the department led efforts to share, consolidate and analyse data to confirm citizenship and right of entry of individuals seeking consular assistance. These efforts supported several repatriation flights in May 2021. The department has since mirrored these processes – in part – in support of repatriation around other events, such as the Afghanistan conflict in 2022.

COVID-19 misinformation and disinformation

In the 2020–21 Budget, the government provided \$62.8 million over five years to strengthen Australia's social cohesion and community resilience in the COVID-19 recovery period. Funding included \$37.3 million over four years to promote Australian values, identity and social cohesion, and to counter malign information. During the pandemic, the department monitored social media content for harmful misinformation and disinformation about COVID-19 and COVID-19 vaccines and referred content to digital industry for review, based on criteria and advice from Health.

Between 16 March 2020 and 19 May 2023, 4,726 social media posts were referred to digital industry for review against their content policies and terms of service, of these, 3,098 were actioned by the relevant social media company with content removed or its distribution reduced. The contract supporting the COVID-19 misinformation and disinformation referrals expired on 30 June 2023 and was not renewed, and the Department no longer undertakes this function.

International border

Terms of reference:

International policies to support Australians at home and abroad (including with regard to international border closures, and securing vaccine supply deals with international partners for domestic use in Australia).

Australia's border controls helped mitigate the COVID-19 pandemic shock by delaying the transfer of the virus and providing much-needed time for domestic health responses to be established. In doing so, border management proved to be a key component of Australia's national response in keeping the public safe from the early – and arguably most severe – phases and impacts of the pandemic.

Throughout the implementation and enforcement of enhanced biosecurity and border measures for trade and travel, the ABF was at the forefront of the Australian Government's response to the pandemic.

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In airports, the ABF rapidly updated procedures for incoming passengers and implemented new programs and capabilities to reduce the likelihood of transmission.

Australia's border management in response to the COVID-19 pandemic can be considered in three key phases: 'closing' the border, operating a closed border, and a staged reopening of the border.

'Closing' the border

Though subject to considerable restrictions, Australia's international border never fully closed. In a practical sense, low levels of travel continued, though inward travel restrictions prohibited most temporary visa holders from travelling to Australia – subject to limited exceptions – and outward travel restrictions prohibited most Australian citizens and permanent residents from leaving Australia – also subject to limited exceptions.

The Australian Government announced that Australia would close the international border to all non-residents from 2100 AEDT on 20 March 2020. The inwards travel restriction policy – alongside the traveller exemptions process – was used to manage traveller volume, and give permission to cohorts of travellers (such as diplomats and flight crew), and individuals to travel to Australia. Subsequent decisions and directions by the Minister for Health, the Hon Greg Hunt MP, under the Biosecurity Act, authorised the outward travel ban on Australian citizens and permanent residents. The Minister for Health also authorised a requirement for airline operations to take all reasonable steps to comply with requirements.

In the absence of a targeted legislative framework comprising clear border management powers and authority by the Minister responsible for the management of Australia's border, an emergency determination made under the Biosecurity Act can prevent travel from a particular country or countries for a period of time. However, this was found to be an imprecise mechanism not capable of supporting the full suite of incoming travel restrictions: there was no ability to immediately limit volume of non-citizen arrivals at scale based on country of origin, travel pathways or exposure to a pathogen/disease outside of the Biosecurity Act. During the pandemic there were over 1.5 million visa holders offshore, yet at some points in time, only space in quarantine for around 3,000 arrivals into Australia per week.

Aviation measures

During the pandemic, and in addition to other processes, the ABF used the Advanced Passenger Processing (APP) system to monitor both inward and outward travel and enforce restrictions – APP was also used to advise airlines of foreign nationals who were seeking to enter Australia and whose visas were likely to be cancelled on arrival as they had not been assessed (through the exemptions system) as posing an acceptably low risk to the health of the Australian community. The APP system provides a mechanism for airlines to confirm with the ABF's Border Operations Centre (BOC) that travellers have authority to travel to or from Australia and have appropriate visas or travel documents.

The ABF's Airline Liaison Officers (ALOs) also performed a critical role, particularly as entry requirements evolved and the number of countries subject to travel bans increased. ALOs based overseas and in Australia worked closely with airlines to identify passengers who did not meet Australia's entry requirements, including by identifying the transit routes taken by passengers and by validating passengers' citizenship, residence and spousal claims. ALOs also provided a time-critical communication channel to airlines offshore, providing up-to-date information on Australia's entry requirements and assisting with the implementation of restrictions at very short notice.

Maritime measures

On 15 March 2020, the Australian Government announced a ban on international cruise ship arrivals – with exceptions for 32 vessels already en route to, or in, Australian waters at the time of the announcement. This was followed, on 18 March 2020, by the Minister for Health's determination, under section 477(1) of the Biosecurity Act, to prohibit the arrival at an Australian port of any international cruise ship that had left a foreign port. The restrictions included direct arrivals and round-trip cruises.

Two measures were put in place to enforce Australia's cruise ships settings. The first, implemented on 15 March 2020, saw nine ports commonly used by international cruise ships re-appointed as ports under s15(3)

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of the *Customs Act 1901* (Customs Act); each of the re-appointments stated that the port is a port 'only for the purposes in relation to ships which are not international passenger cruise ships'.

The practical result of these re-appointments was that it became an offence under subsection 58(1) of the Customs Act to bring an international passenger cruise ship into any of the re-appointed ports unless permission had been granted by the ABF under subsection 58(2). The second measure, the 16 March 2020 Biosecurity Determination, meant that an international cruise ship must not enter a port in Australia – unless permission was granted by the Comptroller-General of Customs (the ABF Commissioner), which could only be provided on the basis that the ship was in distress or emergency circumstances existed, or the ship had departed a port outside Australian territory before the end of 15 March 2020 and was bound directly for a port in Australian territory.

In the weeks that followed, a sustained and targeted ABF effort saw the departure of all 32 internationally flagged cruise ships and their 20,000 or so crew from Australian waters; the last vessel to leave an Australian port departed on 28 April 2020.

On 18 April 2022, the Minister for Home Affairs and the Minister for Trade, Tourism and Investment announced the resumption of international cruise ships arriving and departing from Australian ports.

The *Ruby Princess*

On 19 March 2020, passengers disembarked from the cruise ship *Ruby Princess* in Sydney. These included multiple passengers who had presented with acute respiratory symptoms who would later test positive to COVID-19. This scattering of passengers into the Australian community led to far-reaching public health (and human) consequences: an estimated 663 (39.4%) Australian passengers and 191 (16.6%) crew from the *Ruby Princess* contracted COVID-19 and there were 28 associated deaths. The reach of the *Ruby Princess* COVID-19 outbreak extended beyond its passengers and crew, with an estimated 62 secondary and tertiary cases in the Australian community linked to the outbreak.

On 27 March 2020, following the disembarkation of passengers on the *Ruby Princess*, the Minister for Health, the Hon Greg Hunt MP, made a determination under subsection 477(1) of the Biosecurity Act to prohibit the operation of cruise ships capable of carrying more than 100 passengers in Australia until 15 June 2020. This was achieved by restricting cruise ship entry to Australian territory and requiring ships entering Australian territory to leave immediately, as well as restricting cruise ship entry to Australian ports, and requiring the operator of a foreign cruise ship in Australian territory to leave that territory as soon as reasonably practicable. Additionally, after March 2020, aircraft and cruise ships were prevented from arriving at some ports by reappointing ports under section 15 of the Customs Act to limit the scope of as to which customs clearances could be conducted within the port. This was a resource-intensive process and a poor mechanism for implementing short-to-medium term limitations on arrivals.

On 15 April 2020, the New South Wales government announced a Special Commission of Inquiry, as well as a criminal investigation, into the disembarkation of passengers from the *Ruby Princess*. The August 2020 report of the Special Commission of Inquiry into the *Ruby Princess* made no recommendations directed towards the department or ABF, noting that it was 'crystal clear' the ABF has 'no relevant responsibility for the processes by which, by reference to health risks to the Australian community, passengers were permitted to disembark from the *Ruby Princess*.' Further, the report found that, 'the ABF (and, for that matter, the Department of Home Affairs) do not bear any responsibility for the *Ruby Princess* mishap.'¹

Intelligence and Data

The department surged more than half of its intelligence resources into supporting the government's response efforts and implementing contingency arrangements to maintain coverage of critical border threats and operational activities.

¹ NSW Government, [The Special Commission of Inquiry into the *Ruby Princess*](#), August 2020, p. 27, accessed 18 December 2023.

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Enforced by the ABF, the department effectively implemented the government's border movement control measures, with Intelligence Division providing targeted insights and indicators across a range of COVID-19 related themes, including:

- the production and distribution of false COVID-19 vaccination and test certificates
- attempted importations of fake treatments or substandard products
- predicted impacts to high level border threats and border exploitation methodologies
- indicators to inform operational planning to prevent the transmission of COVID-19 into the Torres Strait area
- predictions on the post-pandemic border threat environment.

The department also surged intelligence resources to support the NCM by providing insights on a range of strategic topics including:

- vaccine distribution
- attempted exports of short supply and critical goods such as personal protective equipment (PPE) and COVID-19 test kits
- broader efforts to identify and counter misinformation on social media.

Operating a 'closed' border

The international border environment was continuously evolving over the period of border restrictions. Fourteen individual health determinations relating to international travel were made during the course of the COVID-19 pandemic. Other priorities included the availability of quarantine places for returning Australian citizens and permanent residents, information flows to states and territories, managing supply chain constraints, and managing international access for critical sectors (e.g. implementing travel exemptions for cohorts with critical skills or working in a critical sector to support the pandemic response).

Following Australia's first confirmed COVID-19 case on 25 January 2020, the ABF established Operation Pincer to coordinate, in a controlled manner, the emergency repatriation of Australians and citizens of New Zealand and Pacific Island countries. More than 700 people were evacuated from Wuhan, China, Tokyo and Japan, after disembarking the *Diamond Princess* cruise ship. Working with the DFAT and Health, the ABF facilitated passengers to board flights, clear customs and immigration processes mid-flight, and then transfer to quarantine facilities at North West Point on Christmas Island or Howard Springs in Darwin before returning home.

Operation Pincer further enabled the ABF's work with partner agencies (Commonwealth, state and territory) and industry, including airlines, to implement the government's decisions and strengthen border measures – many of these measures being unprecedented and implemented within hours of being announced.

On 11 March 2020, Operation Pincer was consolidated under Operation Bandora, and collectively focused on four key operational priorities:

- implementing border processes in line with government directions on COVID-19
- facilitating the return of Australians in a managed way
- ensuring the maintenance of critical ABF functions
- minimisation of health risks to officers.

Multi-stakeholder operations to support management of the border

Operation Bandora was the ABF's overarching operation to manage the border during the pandemic. Additional specific taskforces, operations and networks were set up to respond to increased risks during the pandemic, which included:

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- Taskforce Quadrant: established by the AFP, ABF, Australian Criminal Intelligence Commission (ACIC) and Australian Transaction Reports and Analysis Centre (AUSTRAC) to focus on the prevention and disruption of non-commercial exports of certain goods designated as essential to Australia's COVID-19 response, including PPE and medical supplies.
- Operation Hangfire: established by the ABF in response to the pandemic to combat the diversion of essential goods and protect the community from counterfeit or illegitimate goods (such as counterfeit COVID-19 test kits) and to prevent trade based money laundering from the commercial sale of unapproved or counterfeit critical consumables.
- Operation Gilfast: established by the ABF to manage the operational and tactical component of reopening of Australia's border in accordance with the government's National Plan to Transition Australia's National COVID-19 Response (the National Plan). Reopening the border was a complex task, subject to unexpected changes as international travel systems recommenced operations. The ABF worked closely with airlines, airports, international partners, Commonwealth agencies and the states and territories to support the gradual reopening of Australia's international borders.
- Operation Overarch: established by the ABF following the Prime Minister's announcement on 19 March 2020 to close Australia's border with Papua New Guinea and give effect to implementation of enhanced border measures in the Torres Strait. A deter, detect, intercept and response posture was established and maintained through an ABF-led joint agency taskforce supported by Maritime Border Command.

On 12 July 2021, the department established the COVID Border Measures Group to coordinate planning for the graduated reopening of international borders and travel in accordance with the National Plan. The COVID Border Measures Group provided a single, centralised point to coordinate with government and industry partners.

In addition, PM&C established a Deputy Secretary-level COVID-19 Deputies Interdepartmental Committee (IDC) to coordinate response actions across the Australian Government. The IDC covered all aspects of COVID-19, from breakouts, vaccination, quarantine, returning Australians and domestic and international movements. The department supported this work, as bespoke arrangements aligned to quarantine availability were needed in response to crises such as the port explosion in Lebanon and evacuations from Afghanistan.

The department and PM&C co-chaired the COVID Deputies Risk and Response Working Group with a focus on key areas requiring consideration and integration across government including; reopening, modified quarantine, role of vaccination in reopening and public messaging.

Repatriation

At the beginning of the COVID-19 pandemic, repatriation efforts focused on assisting Australian citizens and permanent residents seeking to leave Wuhan and Hubei provinces in China. This repatriation effort subsequently broadened to the rest of China and then the rest of the world as more locations were impacted by the virus and travel limitations.

Quarantine formed an integral part of the border measures architecture. Supported by the department, the ABF led the establishment of quarantine facilities at North West Point (Christmas Island) and Howard Springs (Northern Territory). And supported by the NCM's engagement with states and territories, the ABF led the establishment of a national quarantine (hotel) framework and for engaging on traveller and information flows for quarantine planning. Of the many measures applied, the quarantine system's robustness and capacity was a central determinant of traveller volumes including the repatriation of Australians – particularly prior to Australia's vaccine rollout. As Australia's vaccination coverage increased, and COVID-19 restrictions eased, quarantine requirements were gradually reduced and eventually removed for international arrivals.

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These decisions essentially established international passenger ‘caps’ as a means to control traveller volumes in the public interest. Passenger caps were linked to state and territory administered quarantine, creating a connection between traveller volumes, post-border requirements and quarantine capacity.

As passenger caps on flights into Australia’s major international airports became a function of quarantine capacity set by the states, which in turn dictated permitted passenger volumes, negotiation with states and territories was required to give effect to ‘above cap’ or ‘outside cap’ allocations for persons travelling to Australia who might otherwise not be able to, in light of exigent or emergency circumstances, including humanitarian purposes.

Travel exemptions process

The portfolio managed the travel exemptions process for the government. A blended team of Departmental officers, made up of mostly visa officers, and ABF officers was set up at short notice to manage the task in support of the ABF Commissioner. While the government broadly determined which categories of travellers were automatically exempt from Australia’s inward travel restrictions, implementation relied on portfolio systems and the cooperation of airlines (supported by the ABF’s ALO Program) to check that individuals had not only the correct visa, but also the appropriate travel exemption. Granting an exemption was an indication that the person had been assessed as posing an acceptable risk to the health of the Australian community, taking into account the Government’s policy settings and the desirability of certain cohorts being given greater access to come to Australia. Within this structure, and authorised by the Prime Minister, the ABF Commissioner and authorised decision-makers had discretion to grant individual exemptions for people not in an automatic exemption category. These inward travel exemption arrangements were a policy-based administrative control, supported by a health-based visa cancellation power in the *Migration Act 1958* (the Migration Act). Other exemption considerations included prioritising quarantine places for certain non-citizens (particularly those bringing state-sponsored critical skills, and gradually including students undertaking medical degree courses commencing placement, Commonwealth-funded postgraduate research students and, eventually, those part of the International Student Arrival plans), or compelling and compassionate circumstances or, later, vaccination status.

To ensure individuals with critical skills were still able to enter Australia, travel exemptions to border closures were made available for certain cohorts, such as visa holders recruited under the Pacific Labour Scheme (PLS), holders of Business Innovation and Investment Program (BIIP) (subclass 188) visas, employer-sponsored visa holders nominated to work in an occupation on the Priority Migration Skilled Occupation List (PMSOL), those travelling at the invitation of the Australian Government for the purpose of assisting in the COVID-19 response, or those with critical skills or working in a critical sector in Australia.

The travel exemption process was initially undertaken using an email-based system (20 March to 17 July 2020), which was superseded by a purpose-built service delivery platform that made it easier to submit and track travel exemption requests (refer to [Online support to Communities](#) for further details).

By the time it was closed, the travel exemptions process had involved decisions on nearly 1.2 million requests for inbound and outbound travel exemptions.

Incoming passenger information

Although entry restrictions were in place following the international border closure on 20 March 2020, exempt travellers were able to return to Australia but required to quarantine in state and territory arranged accommodation. It became clear in the introduction of border measures that the paper-based Incoming Passenger Cards were not a suitable tool for managing border and health risks: data was only available to health officials days after a flight’s arrival, and data retrieval and analysis was a manual process. Therefore, in late March 2020, the physical COVID-19 Declaration Card was introduced to capture passenger information, including contact details, to specifically support the mandatory 14-day isolation requirements in effect at the time; even so, the Declaration Card was affected by legibility and data quality, and states and territories required further information to service increased contact-tracing capabilities and to support mandatory quarantine arrangements.

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Given these challenges, presented during a rapidly changing situation and the ongoing need to manage potential COVID-19 outbreaks, the department was tasked with providing an electronic process that travellers could use to provide information for quarantine planning and contact tracing purposes.

To meet this need, the department worked with APP system owners to develop and launch within 6 weeks a pilot form of the electronic Australia Travel Declaration (ATD), followed by a full roll-out to all international passengers in early December 2020. The ATD enabled the electronic collection of critical health information on vaccination status and international travel history – including traveller contact details in Australia, flight details, vaccination information, quarantine requirements and traveller health status – for all passengers between three and seven days before their scheduled flight to Australia.

This information enabled the government to determine any required quarantine arrangements, and allowed relevant state or territory health departments to contact travellers should they come in contact with someone who had tested positive for COVID-19. The ATD was also designed to indicate whether a traveller was eligible for quarantine-free travel, such as the safe travel zone arrangement between Australia and New Zealand. The ATD achieved effective contact-tracing, quarantine planning and support for safe travel zone arrangements and was configured in a way that enabled the ability to flexibly respond to government priorities and announcements. For example, within a day of an outbreak occurring in Auckland, New Zealand, the department was able to amend questions within the ATD to check whether travellers had been in any hotspots to determine eligibility for quarantine-free travel – effectively preventing any further spreading of the New Zealand outbreak within Australia. The ATD was subject to multiple amendments, at times on a daily basis, to meet the evolving policy and operational imperatives. The ATD proved to be a very dynamic and responsive system, receiving positive feedback on the ease of use.

On 13 September 2021, the Australian Government announced a permissions capability in preparation for reopening Australia to international travel at scale and to allow for the efficient movement of travellers. The purpose of this whole-of-government reusable platform was to progressively support the digitisation and modernisation of service delivery within the portfolio and across the Australian Public Service, including visas, import permits, personnel identity cards, licences and registrations. The first product resulting from the permissions capability was the delivery of the Digital Passenger Declaration (DPD) which aimed to facilitate the quick and secure collection of incoming passenger information, and to provide biometrically anchored, digitally verified COVID-19 vaccination details. With the Permissions Capability program forming a key part of the government's agenda, the delivery of the DPD was a departmental priority to support the safe and graduated reopening of Australia's international borders. The DPD pilot took place in December 2021, and was deployed at scale throughout Australian airports in February 2022, officially replacing the ATD.

Those travelling by sea were also required to complete the Maritime Travel Declaration (MTD), which was implemented on 14 April 2022 to collect critical information (including health information) to support the resumption of cruise travel and maritime travel more broadly.

From 6 July 2022, the Australian Government announced that all COVID-19 border restrictions would be lifted, with international travellers to Australia no longer required to complete the DPD or the MTD to declare their COVID-19 vaccination status.

Safe travel zones

In October 2020, a safe travel zone (STZ) was established with New Zealand, reflecting the low COVID-19 case numbers and effective quarantine regimes in Australia and New Zealand at the time (and a Green/Safe country risk assessment). This enabled quarantine-free travel between the two nations, though the majority of quarantine-free flights were from New Zealand to Australia. The STZ served as a testing ground for implementing new health requirements for passengers, new technological capability to collect and disseminate information, and a new operational environment at airports for processing passengers at the border. Flights were separated into 'red' and 'green', with different requirements set out for each.

The STZ with New Zealand was paused with the mid-2021 arrival of the Delta variant in the Australian community and did not fully resume until both countries removed restrictions in the first half of 2022. The strategy of establishing bilateral travel routes continued to be explored until mid-February 2022.

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During the second half of 2021, Australia continued to pursue bilateral international STZ arrangements with several countries, establishing arrangements with Singapore, Japan and the Republic of Korea; the quarantine-free travel arrangements applied only to fully vaccinated citizens of those countries, travelling directly from their country of nationality. These arrangements effectively ceased (along with the arrangement with New Zealand) on 21 February 2022, when Australia reopened to all fully vaccinated visa holders, without the need to apply for an individual travel exemption.

A departmental evaluation of the Singapore STZ found that there were efficiencies in permitting the graduated resumption of travel through STZs during periods with strict border measures in place. Australia's STZ arrangement with Singapore was successful in testing Australia's vaccination and pre-border health policy settings, and served to alleviate the significant resourcing pressures on both the department's Travel Exemptions Team and the ABF's Border Operations Centre.

ACT-based quarantine arrangements

On 12 July 2021, at the request of the ACT Government, the department became the Commonwealth coordinator for ACT-based quarantine arrangements for ministers, government officials and their travelling parties, collectively termed Returning Government Officials (RGO).

Initially, all parties agreed that the RGO quarantine process would be coordinated by the department, with the ACT Government retaining effective control over the following arrangements:

- accommodation, which was initially provided by the Australian National University at the Liversidge Court Apartments for a period of six months, commencing in September 2021
- all health care arrangements, including COVID-19 testing, managed by ACT Health
- compliance arrangements, provided by ACT Policing.

In addition to the above, on 23 August 2021, due to the COVID-19 outbreak within the ACT, ACT Health advised they no longer had capacity to manage the RGO program, and the Liversidge Court Apartments were taken offline for ACT Health's public health response. Initially this was for an eight week period until 18 October 2021.

A new agreement was reached, nominating the department as the coordinator of the RGO quarantine process, effective from 1 September 2021. ACT Health retained effective control and provided approval for each arrangement entered into by the department. In order to manage the RGO quarantine requirements within the ACT, the department contracted:

- 18 Airbnb properties from September to 30 November 2021
- Sonic HealthPlus – provision of COVID-19 testing on days 1, 5 and 13 of a traveller's isolation period and additional daily self-testing kits as required by travellers quarantining in approved apartments
- Kamberra – accommodation cleaning
- Crowne Chauffeurs – transport from the ACT port of arrival to the RGO's quarantine accommodation – where a private vehicle was not available.

There were limited sources of information available to inform the department's specific requirements or expectations when managing these arrangements. The department developed these elements individually on an ongoing basis as required. Furthermore, due to the nature in which the department assumed this responsibility, there was difficulty achieving recognition from other stakeholders that the department had appropriate authority for these arrangements, despite clear expectations provided by the ACT Government that the department was in fact responsible for them. These arrangements could have benefited from clearly defined and transparent roles and responsibilities within and across government to ensure the smooth operation and delivery of outcomes.

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ACT Health announced that, from 1 November 2021, fully vaccinated international travellers returning to the ACT would no longer need to quarantine. The department subsequently terminated its role as the coordinator of the RGO process on 17 November 2021.

Reopening the border

The department supported the development of the National Plan. The National Plan was designed to transition Australia from pre-vaccination settings focused on continued suppression of community transmission, to post-vaccination settings focused on living with COVID-19 and rebuilding Australia's economy.

Based on modelling prepared by Health and the Department of the Treasury (Treasury), together with the Doherty Institute, the National Plan contained four phases, with progression based on the vaccination rates of the national population at the time (those eligible and over 16). The National Plan provided a national-level 'strategy' with broad triggers and more specific objectives for the relaxation of COVID-19 controls (both domestic and international).

The staged reopening of Australia's international border occurred across four phases, outlined in the National Plan:

- **Phase 1:** The removal of passenger caps and outwards travel restrictions on fully vaccinated Australian citizens, permanent residents and their immediate families
 - 1 November 2021 – passenger caps ended and outwards travel restrictions were removed for fully vaccinated Australian citizens, permanent residents, and their immediate family
- **Phase 2:** The removal of border restrictions on fully vaccinated skilled, student, and humanitarian cohorts, along with working holidaymaker and provisional family visa holders
 - 21 February 2022 – fully vaccinated visa holders were able to travel to Australia without seeking exemption
- **Phase 3:** The removal of border restrictions for all fully vaccinated visa holders
- **Phase 4:** The removal of all remaining travel restrictions, including uncapped inbound arrivals regardless of vaccination status
 - 9 September 2022 – the requirement to declare vaccination status, requirement to declare 14-day travel history, and the mask mandate for international flights was removed, marking the conclusion of the COVID-19 border measures.

The Australian Government's approach to reopening Australia's international border passed through several different strategies, based on:

- the number of COVID-19 cases in the community
- the emergence of new variants
- the availability of vaccines
- the vaccination status of the Australian population (considering vaccination rates nationally, in individual jurisdictions and among various age cohorts)
- economic and social drivers
- the decisions of state and territory governments in removing quarantine and domestic border restrictions.

To reopen the border, the department used existing systems capabilities, including a graduated rollback of the pandemic settings of the APP and visa systems. The reopening model – based on citizenship status (for Australians) and, subsequently, visa subclasses – meant the department had systems available to limit

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volumes in some way, as only those who were outside Australia with an eligible visa were able to travel at reopening points. ABF's Operation Gilfast operationalised the reopening of the border.

Challenges

Australia's migration framework is not designed to give effect to a border closure and there is no clear legal power to 'close the border' in an emergency. The department's ability to manage border closure and reopening during the COVID-19 pandemic relied on a fragmented system of policy settings, spread across a range of legislative frameworks and Commonwealth portfolios, with the addition of targeted external media.

A key legislative gap identified in the management of the international border related to the legal power to directly control flow of volume of Australian citizens and visa holders travelling to Australia in an emergency situation or to select and prioritise the travel of certain travellers.

While incoming passenger caps imposed under the Air Navigation Regulation 2016 (administered by the Department of Infrastructure, Transport, Regional Development and Communications) were used to limit the volume of passengers entering Australia to ensure that quarantine capacity was not overwhelmed, passenger caps applied to airlines (not individuals), and were therefore a blunt instrument, as there was no scope to differentiate between citizens and non-citizens.

The government prioritised quarantine places for returning Australian citizens, permanent residents and their families. As visa holders have a legal right to enter Australia (subject to being immigration cleared on arrival), they were competing for quarantine places, which could not be managed through passenger caps. Inwards travel restrictions policy (including the travel exemptions regime) was one of the measures used to manage the inward flow of temporary visa holders. This was a policy-based border control tool administered by the department.

The limitations outlined here demonstrate that this reliance on a range of cross-agency policy and operational frameworks to achieve government objectives poses enforcement and implementation challenges and raises considerable legal risks, should the need for border closures arise in the future. Furthermore, this arrangement was at times unclear to the general public, state and territory governments and industry, including aviation and maritime sectors.

Limitations of exercising penalty regimes

As COVID-19 cases and vaccination rates increased domestically, there were challenges in exercising visa cancellation powers. Insufficient flexibility and utility in the penalty regimes during the pandemic resulted in disproportionate penalties that were also difficult to administer; for example, during the period when a ban was imposed on inward travellers from India, a fine of up to \$66,600 and/or five years imprisonment was set on any individuals breaching an exclusion period, which was perceived as excessive – but it was the only legal option available at the time (later upheld by the High Court). Additionally, the fine would have had to be issued under a prosecution in the courts, and could not be issued as an infringement notice.

While it would have been operationally practical to issue infringement notices for not completing the DPD, ATD and MTD, this was not an option that could be easily pursued under the existing framework. So the only enforcement mechanism available was the cancellation of visas at the border in certain circumstances.

In addition, there were limited powers available under the *Air Navigation Act 1920* to impose penalties for non-compliance of travel requirements implemented by the department. The reliance on airlines to ensure travellers' eligibility for travel against complex criteria meant that there were gaps in how the requirements were able to be enforced pre-border, particularly where there were no enforceable penalties that applied to airlines that could shape their incorporation of passenger compliance into operations. A cohesive legislative power, and proportionate authority to enforce border entry rules, would support strong and forceful messaging to industry and the public to comply with implemented travel requirements.

Operating environment

The ABF operates on behalf of over 25 agencies at the border, managing thousands of alerts and profiles (for goods and people) and is the second highest revenue raiser for the Commonwealth (collecting \$18.36 billion in 2022–23).

Industry support

Terms of reference:

Support for industry and businesses (for example responding to supply chain and transport issues, addressing labour shortages, and support for specific industries).

Industry engagement

To support the Australian Government's response to the COVID-19 pandemic, the department also established a community of interest with critical infrastructure owners to enable a coordinated approach to requests for information and to enable effective cross sector engagement. The department facilitated industry participation in weekly Crisis Coordination Centre briefings, allowing for communication with industry stakeholders on emergency management responses. On average, there were 90 participants per briefing, which supported collective understanding of the complexities facing industry supply and community demand. Where required, meetings were held virtually to ensure social distancing could be maintained.

Throughout the course of the pandemic and the evolving COVID-19 situation in and beyond Australia, the department also engaged with and provided information to various industries, stakeholders and temporary visa holders regarding the work-condition flexibilities that were afforded to various industries.

Supermarket Taskforce

Through the NCM, the Australian Government established the Supermarket Taskforce on 18 March 2020. The Taskforce brought together major supermarket executives, relevant peak bodies, industry representatives – including supply chain entities – the not-for-profit sector, states and territories, and local authorities to discuss and resolve the issues supermarkets were facing due to COVID-19 and to ensure all Australians could continue to access essential items.

This effort included working with the Australian Local Government Association and local councils to adjust trucking curfew arrangements to ensure that curfews did not impede the restocking of supermarkets. The Supermarket Taskforce was a testament to the department's ability to work flexibly in support of domestic security and prosperity priorities, and the strong collaborative relationships developed with food and grocery and transport stakeholders have been maintained across the portfolio – enabling swift and effective crisis responses post-COVID-19.

Supply Chain Taskforce

On 10 January 2022, the department established the Supply Chain Taskforce to mitigate the consequences of COVID-19 related supply chain crises and disruptions, including shortages of diesel exhaust fluid (DEF/AdBlue), as well as workforce absences and non-health impacts due to COVID-19, and sudden demand onset for Rapid Antigen Testing kits, sanitiser and PPE. These issues were managed alongside other supply chain crises brought about by flooding in regional and remote South Australia in February and March 2022 associated with ex-Tropical Cyclone Tiffany, damage to road and rail infrastructure, and adverse weather and extensive flooding on Australia's east coast.

The Supply Chain Taskforce supported Treasury and broader government efforts to minimise challenges experienced across national supply chains. Actions taken to achieve this included:

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- working with the major supermarkets and the AHPPC to develop interim guidance on permissions and restrictions for workers in food and grocery supply to reduce workforce absences in the food and grocery sector
- development of Interim Guidance on the Permissions and Restrictions for Essential Workers, supporting actions to increase the availability of workforce through a series of visa measures with immediate effect
- developing a revised Protocol for Defence Assistance to the Civil Community in COVID-19 to recalibrate requests for ADF support to state and territory led responses to the pandemic.

The NCM conducted 117 meetings and associated working groups addressing supply chain stabilisation and other matters requiring national coordination were conducted by the Supply Chain Taskforce until its transition to the NCM on 30 June 2022.

Commercial maritime industry

Responsible for the movement of over 98% of Australia's imports and exports by weight, the commercial maritime industry remained critical to Australia's economy and trade flow during the border closure. Maritime crew on commercial vessels, excluding cruise ships, remained eligible to be granted a Maritime Crew visa and were permitted entry to Australia, subject to relevant state and territory health controls. Maritime crew on commercial vessels did not need to apply for a travel exemption provided they either arrived on their vessel or were travelling to Australia to join a vessel. Crew were not subject to the mandatory 14-day quarantine requirements. Nonetheless, crew had to follow quarantine requirements or self-isolation rules of the jurisdiction in which they arrived regardless of holding a travel exemption. Some jurisdictions allowed crew to proceed direct to the vessel or undertake isolation until such time that they could sign on, while some did not. Crew that arrived in Australia on their vessel were generally restricted on board for the duration of their stay.

In addition to the intense industry engagement needed to operate the closed border and then gradual reopening, the department supported the Department of Infrastructure, Transport, Regional Development and Communications from the initial stages of the government's COVID-19 response, in fortnightly meetings held with the maritime industry to discuss and provide advice on key issues, including the arrangements for the entry and departure of maritime crew and the restriction of cruise ship operations.

Aviation industry

Implementing the government's policy decisions to protect the Australian community from the risk of COVID-19 transmission from international arrivals depended heavily on industry adopting new passenger facilitation processes along the entire traveller journey. There was a pressing need for close and collaborative engagement with industry to enable the successful delivery of the National Plan.

From the introduction of COVID-19 restrictions in early 2020, the department actively engaged with state and territory agency representatives and the aviation sector – airlines, airports, the International Air Transport Association (IATA) and the Board of Airline Representatives – to operationalise the government's pandemic response. A concerted whole-of-government approach was taken to consulting and sharing information with industry stakeholders. This included the ABF's leading joint briefings with Health and the Department of Agriculture to ensure alignment and operationalisation of evolving border settings in both the aviation and maritime sectors. Close engagement with industry, complemented by the provision of accurate, timely and up-to-date information, was critical to the success in closing and then reopening the international border.

Though there was no change to Australia's aviation security posture during the pandemic, the government worked closely with airlines, airports and other government agencies to ensure that Australia's aviation security requirements could continue to be met alongside the implementation of various COVID-19-related measures at airports.

Following consideration of a Reopening Plan by government in mid-2021, the department established a new stakeholder forum with key stakeholders from across the aviation sector, government, and states and territories, targeting those who would be impacted most by the border reopening plans for international air

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travel. The NCM was used to establish the first meeting of the Border Reopening Stakeholder Forum, which was the primary mechanism used by government to engage with the aviation sector on border reopening matters.

COVIDSafe app

In April 2020, the government agreed to the development of a COVID Safe app to support state and territory health agencies in contact tracing. The development of the app was modelled on a similar product being used by the Singapore government. While the department had involvement in the initial stages of the app's development, it was subsequently developed and implemented by the Digital Transformation Agency.

Global Business and Talent Attraction Taskforce

The Global Business and Talent Attraction Taskforce (GBTAT) was established in September 2020 to amplify efforts to identify, target and attract global high-value businesses and exceptional talent to relocate to Australia to boost Australia's economic recovery from COVID-19.

Challenges

Quarantine impacts on commercial maritime industry

The inconsistency in quarantine requirements between states and territories made for a very complex environment for industry, as some crew were unable to sign onto a vessel due to jurisdiction-specific quarantine periods. In addition, maritime crew changes were constrained by reduced flights, state and territory quarantine requirements, and barriers to crews leaving their country of origin. Some crew were also unable to quickly depart Australia after signing off a vessel due to the lack of flights out of Australia and border controls in destination countries.

Communication and information sharing

The pandemic demonstrated the need to increase information sharing with smaller government and industry stakeholders. This has subsequently been addressed, but there is further opportunity to develop a network of state and territory contacts to which the ABF's ALOs could refer airlines if differing health restrictions are in place. Furthermore, the pandemic highlighted that when establishing emergency measures, communications should clearly outline the legislative basis for the measures as well as the nature of the mechanisms to monitor their effectiveness and continuing need for such measures.

Another complexity in industry engagement emerged due to the multiple carriers that an international traveller may use on their journey to Australia; though the department and the ABF established productive relationships with the airlines that operated or had plans to operate flights to Australia, there was no direct engagement with any airlines managing flights that connected with the primary airlines the department or the ABF were engaged with. This meant there were many passengers who could commence their journey to Australia with an airline that had limited understanding of Australia's vaccination or border entry requirements.

Financial support

Terms of reference:

Financial support for individuals (including income support payments).

The former National Resilience and Recovery Agency, now NEMA, had policy responsibility for the implementation of the Pandemic Leave Disaster Payment (PLDP), the High-Risk Settings Pandemic Payment (HRSP) and the COVID-19 Disaster Payment. Services Australia was the delivery agency for the payments, which were made available through myGov.

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Pandemic payments

All three payments were made available to Australian residents and eligible working visa holders with the intent to financially support people to self-isolate or comply with lockdown restrictions so as to help stop the spread of COVID-19.

Pandemic Leave Disaster Payment (PLDP)

In August 2020, the PLDP was announced to provide lump-sum financial assistance to individuals unable to earn an income because they were required or recommended to self-isolate or quarantine, or were caring for a person required to isolate, as a result of COVID-19.

The PLDP concluded on 14 October 2022.

Over \$2 billion was paid out, with over 3 million claims granted.

High-Risk Settings Pandemic Payment (HRSP)

On 15 October 2022, the new HRSP was established. The HRSP provided financial support to workers in high-risk settings, including aged care, disability care, Aboriginal and Torres Strait Islander healthcare, hospital care and custodial settings who were unable to work due to testing positive for COVID-19.

The HRSP concluded on 31 March 2023 with consideration of the end of lockdowns and the need to transition to living with COVID-19.

Over \$32 million was paid out, with over 44,000 claims granted.

COVID-19 Disaster Payment

On 3 June 2021, the COVID-19 Disaster Payment was announced to support people whose hours of work had been affected by lockdowns or movement restrictions where their location area was also declared a Commonwealth hotspot.

On 6 August 2021, states and territories agreed to targets in the National Plan. The COVID-19 Disaster Payment was rolled back gradually as states and territories reduced lockdown restrictions based on increased vaccination rates in the community.

Over \$12.8 billion was paid out, with almost 6 million claims granted.

Challenges

The introduction of the PLDP and COVID-19 Disaster Payment demonstrated limitations within the existing disaster payment framework under the *Social Security Act 1991* (the Social Security Act). For example, the Disaster Recovery Allowance cannot be paid to temporary visa holders, however the government wanted the payments to be available to people on temporary visas (with work rights).

Both payments (as well as the HRSP) were therefore introduced as a grant under the Financial Framework (Supplementary Powers) Regulations 1997, as the existing legislative framework for disaster payments did not have the flexibility necessary to provide the required financial support arrangements.

While these payments were only temporary measures, they demonstrated a need to ensure flexibility is built into primary legislation to allow the Australian Government to set, by ministerial determination, criteria such as payment recipients, payment rate, method of payment, and payment duration to address the specific requirements of a disaster event.

The Independent Review of Commonwealth Disaster Funding, commissioned by the Australian Government and led by Mr Andrew Colvin AO APM (Independent Reviewer), will provide its final report in April 2024. COVID-19 and pandemic payments are outside the Colvin Review's terms of reference, as the review's focus is on natural disasters. However, the Colvin Review will consider and report on areas of reform required to ensure that Australian Government arrangements for disaster funding support a system that is

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scalable, sustainable, effective, equitable, transparent and accessible. This will include looking at Commonwealth disaster payments to individuals affected by natural disasters such as bushfires and floods; such payments include the Australian Government Disaster Recovery Payment and hardship payments made under the Disaster Recovery Funding Arrangements (jointly funded by the states and territories and the Commonwealth).

Community engagement and support

Terms of reference:

Community supports (across early childhood education and care, higher education, housing and homelessness measures, family and domestic violence measures in areas of Commonwealth Government responsibility).

Mechanisms to better target future responses to the needs of particular populations (including across genders, age groups, socio-economic status, geographic location, people with disability, First Nations peoples and communities and people from culturally and linguistically diverse communities).

Community engagement

Throughout 2020–21, the department's Regional Directors and Community Liaison Officers (CLOs) increased engagements with key community stakeholders to address issues relating to COVID-19 and to provide information and support to communities. Through targeted engagement, provision of in-language Community Health information, and enlisting the support of trusted community leaders, the CLO Network contributed to efforts to improve community understanding of public health factors related to COVID-19, reduce rates of vaccine hesitancy and increase participation in the vaccine rollout.

The department also supported the Prime Minister, portfolio ministers and others to host national roundtables with leaders from Australia's diverse communities. These fora provided a platform for communities to voice their concerns in relation to the pandemic, and for government to provide key messages of support for these communities.

Migrant support

Over the COVID-19-impacted period, more than 75 concessions and visa adjustments relating to temporary and permanent visa programs were introduced that sought to support those disadvantaged by COVID-19 and assist with rapid economic recovery after the pandemic. These temporary measures also enabled those visa holders with the required skills to remain in Australia, to help fill skills shortages in critical industries such as health, disability, aged care, agriculture, food processing, childcare and tourism and hospitality. These measures included:

- the introduction of a COVID-19 'concession period' for certain cohorts of visa applicants and holders, including those who were on a pathway to permanent residence, disadvantaged by border closures, travel restrictions and restrictions imposed on businesses. Applicants for certain visas were able to access a number of visa eligibility concessions which applied during, or were otherwise linked to, the 'concession period'
- extended visa validity periods and flexible enforcement of visa conditions for temporary visa holders; for example, removal of the six month work limitation period, and flexibility to the 'specified work' eligibility for second or third visas for Working Holiday Makers (WHMs) in critical sectors, the ability to work beyond the 40-hours-a-fortnight limitation for student visa holders. Seasonal Worker Programme (SWP) and PLS workers were also able to extend their stay in Australia to support the agriculture sector and other critical sectors
- the making available of a COVID-19 Pandemic Event 'visa' in April 2020 within the existing Temporary Activity (subclass 408) visa, which was intended to address labour shortages in critical sectors during the pandemic while also ensuring visa holders remained lawfully onshore. Temporary

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visa holders working in critical sectors who were unable to depart Australia and were not able to apply for another visa were able to apply free of charge

- The introduction of the PMSOL on 2 September 2020, in consultation with government and the National Skills Commission, which prioritised the processing of nomination and visa applications for employer-sponsored visas in critical occupations. The PMSOL identified occupations that filled the critical skills needed to support Australia's economic recovery from COVID-19
- Visa Application Charge refunds or exemptions for those who may not have been able to travel to Australia due to border closures.

In addition to the numerous visa changes and adjustments, the department used its network of global visa processing officers to pivot to priority caseloads, support those already in Australia, and migrants outside Australia who could meet travel-exemption criteria.

For the 2020–21 program year, the Migration Program moved towards an equal split between the Skill and Family streams, which was designed to assist in meeting the Migration Program planning levels during the height of the COVID-19 travel restrictions, when the ability of new migrants to enter Australia was significantly affected. This enabled the department to focus on partner visa applications – mainly from applicants in Australia – to maximise benefits of the annual Migration Program.

For Skilled visas, visa processing shifted focus to applicants already in Australia and those applicants in critical sectors and occupations to support Australia's response to the pandemic and drive economic recovery.

The department remained committed to managing the Citizenship Program by quickly adapting its approach to citizenship ceremonies, allowing approved applicants, who would ordinarily attend an in-person citizenship ceremony in their local community, to attend a ceremony online. From 31 March to 30 June 2020, more than 45,000 individuals acquired citizenship through online ceremonies, and almost 50,000 acquired citizenship via online ceremonies in 2020–21.

Online support to communities

The department's Global Service Centre and websites played a role in providing information to clients and the Australian community. During the pandemic, the department's online presence was redeveloped to provide a consistent and comprehensive source of information on visas, citizenship, travel restrictions and support services. The department launched new websites, including 'COVID-19 and the border' to provide clear information about the impact of the pandemic on visa and border arrangements. The '*COVID-19 in your language*' website, launched in April 2020, provided a fact sheet in 63 languages about COVID-19 and related vaccines to culturally and linguistically diverse communities. The 'Misinformation and truths about coronavirus (COVID-19)' fact sheet was developed in consultation with Health and was also available on the '*COVID-19 in your language*' website.

Travel Exemption Portal

- In mid-2020, the department rapidly established a travel exemption process, and online web form to facilitate requests from travellers seeking transit through Australia's international border. Due to rapidly increasing requests volumes at the time, the online web form was replaced with a more robust travel exemption portal, and expanded processing capability managed by the department and ABF. The travel exemption portal provided a single point of engagement for the traveller to request, and track the progress of their exemption request. The portal provided departmental and ABF officers with a centralised capability to receive, triage and process high volumes of requests.

Repatriation Portal

- In mid-2021, DFAT and the department jointly established an online registration capability for non-citizens to request consular assistance to facilitate their return to their country of origin. The department rapidly established a Repatriation Portal through which non-citizens could submit a

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request for repatriation that was then assessed and facilitated by DFAT. The portal provided a centralised capability for DFAT and departmental staff to jointly manage this cohort of travellers impacted by the closure of international borders.

Challenges

Citizenship Program

The COVID-19 pandemic also demonstrated a vulnerability in the Citizenship Program, whereby applicants who were required to sit the citizenship test were unable to do so, as the test is currently only available in-person. The department is taking steps to explore online test options, to reduce vulnerability to future disruptions to face-to-face client services.

Translation and language services

The department is responsible for the Australian Government's Multicultural Access and Equity Policy, the Australian Government Language Services Guidelines, the Translating and Interpreting Service (TIS National), the Free Interpreting Service and the Free Translating Service, as well as managing the Commonwealth's relationship with the National Accreditation Authority for Translators and Interpreters (NAATI). Lessons learnt from the pandemic provide opportunities to consider access and equity improvements for populations with limited English language proficiency, to ensure that information in languages other than English is readily available, accessible and of high quality.

One review in 2022 into Australia's response to COVID-19² found that mortality rates in Australia for culturally and linguistically diverse communities were more than two-and-a-half times higher than for others, with these communities often relying on 'international news sources that provided advice that did not necessarily match that coming from the Australian Government'.

The pandemic also identified a capability gap in the ongoing need for clearer, more accurate and timely messaging in languages other than English for multicultural communities. The department is also working on key priorities that aim to address information shortages and improve access to information in languages other than English, including for First Nations and deaf and hard of hearing communities, as part of the Multicultural Framework Review and in response to the recommendations of the Royal Commission into Violence, Abuse, Neglect and Exploitation of People with Disability.

Future planning and preparedness

Terms of reference:

The Inquiry will consider opportunities for systems to more effectively anticipate, adapt and respond to pandemics in areas of Commonwealth Government responsibility.

Pandemic preparedness and resilience – lessons learned report

The department has previously undertaken a review of its response to the COVID-19 pandemic, through the internal Border Preparedness and Resilience Review (the Review).

Commencing in April 2022, the Review focused internally on the department's border management responsibilities during the COVID-19 pandemic. The objectives of the Review were to:

- undertake a review of 'lessons identified' to validate lessons from 2020 to 2022 that should be integrated into planning and operational settings to ensure continual improvement is occurring

² Paul Ramsay Foundation, [Fault Lines: an independent review into Australia's response to COVID-19](#), October 2022, pp. 22, 62, accessed 18 December 2023.

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- develop interim procedural guidance to manage border aspects of pandemics, applied in the event of a new COVID-19 variant or virus of concern.

The Review, finalised in October 2022 and provided to the COVID-19 Inquiry independent panel on 16 November 2023, recommended 13 actions relating to the role of the portfolio and its responsibility for the various aspects associated with closing and reopening the border, most notably centred around:

- the absence of a targeted legislative framework that contains clear border management powers and authority by the minister responsible for the management of Australia's border
- the department's influence in the absence of a robust legislative authority vested in its minister, to make decisions about the international border (particularly during a crisis)
- the need for well-managed coordination and communication across all levels of government and industry stakeholders
- the integration of established scientific information with real-time data emerging from the frontlines, to inform agile changes in policies and procedures as health risks evolve (e.g. from viral mutation), with real-time confirmation from information supervised by registered clinicians
- the need for centralised health intelligence to support planning for border related measures at, or ahead of, the border
- the need for targeted assurance activities performed by appropriate clinical personnel with expertise in operational constraints and environments, to ensure that decisions are implemented in an effective and timely way
- consideration as to how to manage the significant resource and systems capability impacts for the department and ABF caused by the COVID-19 pandemic.

Proposed border resilience reforms

The department plays a critical role in building Australia's national resilience across the full crisis spectrum. Working closely with NEMA, the department leads on national resilience policy and strategy to ensure the Commonwealth has the necessary policy, legislation and capability to manage an increasingly dynamic strategic environment. The department is progressing a number of lines of effort that will enable Australia to remain resilient in the face of concurrent and competing domestic crises, including:

- developing a National Resilience Framework to bolster Australia's ability to anticipate, prevent, absorb, adapt to and evolve from crises
- exploring options to enhance the Commonwealth's crisis response and recovery capabilities and national capacity; this endeavour aims to reduce reliance on the ADF when responding to nationally significant crises
- undertaking a non-statutory review of Commonwealth emergency management powers (the EM Powers Review), with a particular emphasis on the *National Emergency Declaration Act 2020* (the NED Act), to determine whether the Commonwealth's current emergency management legislative setting is fit for purpose for the changing environment
- undertaking work on national civil preparedness and planning for nationally significant crises
- assessing the impacts and risks resulting from, or exacerbated by climate change and the green energy transition, and developing options to address any critical national security vulnerabilities.

NEMA lessons management process

NEMA undertook a lessons management process using the Observations–Insights–Lessons Identified–Lessons Learned (OILL) Model outlined in the *Australian Emergency Management Handbook – Lessons*

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Management. A total of 109 observations were collected across the COVID-19 event, which have been coded, themed and grouped into key insights, which include that:

- implementation of the NCM created integration challenges for the Crisis Coordination Centre (CCC – now the Australian Government National Situation Room)
- the Crisis Coordination Team (CCT) and CCC adapted and evolved to manage the complex operation
- CCT and CCC briefings and handovers were occurring, but attention was needed to raise the standard
- communication of processes and sharing of information in complex operations remains a challenge
- ongoing communication from leaders around roles and responsibilities as operations unfold is critical
- managing multiple data sources through human resources creates issues for CCC products
- perceptions of the role versus the reality for surge when working in a crisis
- equipment and technology issues.

The National Crisis Exercising and Lessons Capability in NEMA designs and implements preparedness activities including, exercises, training, masterclasses and lessons processes, to uplift capability across the Australian Government, states and territories, industry and community organisations. Lessons identified from COVID-19 have been validated through exercises.

ABF lessons learned

Drawing from the OILL Model, the ABF completed several lessons learned processes. Post pandemic lessons and reflections include the need for or importance of:

- proactively looking for and identifying opportunities to inform and promote the ABF's role, responsibilities, limitations and required timeframes for changes to existing processes at the border when a whole-of-government response is required
- strengthening and aligning of processes for the processing of large numbers of COVID-positive passengers and crew – particularly in the maritime domain
- increasing interconnectivity and collaboration domestically and inter-nationally – particularly in the area of strengthening the integration and interoperability of technologies, systems and data
- timely, clear and multi-channel communications across all levels of stakeholders – internally, across government agencies and with industry
- simplifying and streamlining governance models – particularly around communicating and managing change in ICT environments
- addressing workforce gaps in technical (predominantly ICT) and policy streams
- balancing operational and non-operational functions, particularly in the areas of recording keeping and capturing strategic policy and program decisions
- transforming organisational policies, procedures and processes around shifting 'crisis' management and into a business-as-usual function
- early clarification of agency roles and responsibilities to avoid confusion and delays.

Opportunities

Migration Act reforms

Enhancing the scope of health risks in the Migration Act – or including pre-emptive sections that come into effect when an epidemic or pandemic is identified – could provide an opportunity to increase Australia's

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pandemic preparedness through strengthened legislative provisions that enable uplift or visa refusal, as well as visa cancellation.

Currently, if it becomes necessary to implement inwards travel restrictions, it would be done through policy, supported by the visa cancellation power in the Migration Act and relate to people who are neither citizens nor permanent residents (or their immediate family). Non-citizens travelling to Australia who are not exempt may be considered for visa cancellation under s116(1)(e) of the Migration Act on the basis that they may present a health risk. There is however no current specific reference to COVID-19 or human coronavirus in the health requirement.

Legislating the ABF's functions

The ABF is considering the benefits of legislating its functions in the *Australian Border Force Act 2015 (Cth)* to establish and describe the ABF's roles and responsibilities so as to provide clarity to both partners and the public on its remit and powers.

The ABF was criticised in 2020 by the media and public for its handling of the Ruby Princess cruise ship incident because it was believed that the ABF had, or should have had, powers to prevent disembarkation of unwell passengers. The Special Commission of Inquiry into the Ruby Princess report found that the relevant legislative provisions make it 'crystal clear' that the ABF has no relevant responsibility for the processes by which, by reference to health risks to the Australian community, passengers were permitted to disembark from the Ruby Princess³.

Modernisation of border systems

Through increased effectiveness and efficiencies when transacting across Australia's border, the modernisation of border systems (including the adoption of artificial intelligence) will play an increasingly important role in pandemic preparedness and response. Border modernisation will streamline documentation processes, aid in efficient health screenings and facilitate real-time monitoring, improving the ABF's ability to promptly identify and respond to both health and non-health-related border risks. Enhanced border systems will also improve the flow of seamless information exchanges, domestically and internationally, supporting collaborative efforts to contain and manage pandemics (noting that the information exchanges can only occur if lawful under Australian law).

The ABF considers the modernisation of border systems a key priority that will contribute to Australia's economic and security objectives, increase Australia's pre, at and post border public health measures, and provide enduring positive returns on investment for the government and Australian community.

Intelligence information

In future pandemics, the government's information requirements may be better expressed publically as a need for situational awareness and advice, rather than 'intelligence', to avoid any popular misunderstanding of government's activities and responses.

In responding to the COVID-19 pandemic, the government required quick and accurate information about developments. This was often expressed in terms of the requirement of 'intelligence' to inform the government's response to the pandemic. While the term 'intelligence' has a meaning that makes it relevant to describe the information required by government, use of the term 'intelligence' in a pandemic response context brings connotations not desirable in a government response to a public health emergency.

Clarity around the unique role intelligence can play, combined with clarity around the distinction with government's general information requirements as suggested above, will support more effective government response to pandemics in future.

³ NSW Government, [The Special Commission of Inquiry into the Ruby Princess](#), August 2020, p. 27, accessed 18 December 2023.